



OK

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|----------------------------------|
| In re U.S. Patent No. 7,047,975 |) | Serial No. 09/921,016 |
| |) | |
| Inventor(s): Glenn D. AUSTIN <i>et al</i> |) | Filed: August 3, 2001 |
| |) | |
| Issue Date: May 23, 2006 |) | Attorney Docket No. 000717.00008 |

For: FEMALE CONDOM EMPLOYING TENSEGRITY PRINCIPLE

REQUEST FOR CERTIFICATE OF CORRECTION

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop: Certificate of Correction Branch
401 Dulany Street
Alexandria, VA 22314

Sir:

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322, this is a request for the issuance of a Certificate of Correction in the above-identified patent. Two (2) copies of PTO Form 1050 are appended. The complete Certificate of Correction involves one page.

The mistakes identified in the appended Form occurred through no fault of the Applicants, as clearly disclosed by the records of the application, which matured into this patent. Enclosed for your convenience is the Issue Fee payment filed January 6, 2006 and the relevant portions of the Amendment filed September 14, 2005.

Issuance of the Certificate of Correction containing the corrections is respectfully requested. Since these changes are necessitated through no fault of the Applicants, no fee is believed to be associated with this request. Nonetheless, should the Patent and Trademark Office determine that a fee is required, please charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: September 12, 2006

By: Anthony W. Kandare
Anthony W. Kandare
Registration No. 48,830

1001 G Street, N.W. (11th Fl.)
Washington, D.C. 20001
(202) 824-3000

Certificate
SEP 15 2006
of Correction

SEP 15 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.: 7,047,975
DATED: May 23, 2006
INVENTOR(S): Glenn D. AUSTIN *et al*

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, Assignee section (73):
Please replace "Path" with --PATH--

In Column 15, Claim 12, Line 37:
Please replace "first ring" with --ring--

In Column 16, Claim 22, Line 19:
Please replace "rushed" with --pushed--

In Column 16, Claim 22, Line 21:
Please replace "touch" with --pouch--

Mailing Address of Sender:

Banner & Witcoff, Ltd.
11th Floor
1001 G Street, N.W.
Washington, DC 20001-4597

U.S. PAT. NO 7,047,975

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□

FORM PTO 1050 (Rev.2-93)

SEP 15 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

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DATED: May 23, 2006
INVENTOR(S): Glenn D. AUSTIN *et al*

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FORM PTO 1050 (Rev.2-93)

U.S. PAT. NO 7,047,975

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SEP 15 2006

PART B - FEE(S) TRANSMITTAL

Complete and send this form together with applicable fee(s), to: Mail

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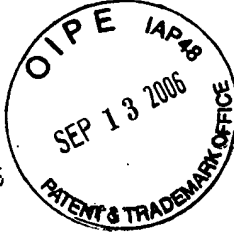
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WASHINGTON, DC 20001



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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

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01 FC:5301 700.00 DA
02 FC:8001 30.00 DA

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/921,016 | 08/03/2001 | Glenn D. Austin | 00717.00008 | 5841 |

TITLE OF INVENTION: FEMALE CONDOM EMPLOYING TENSEGRITY PRINCIPLE

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | YES | \$700 | \$300 | \$1000 | 01/13/2006 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|------------------|----------|----------------|
| BROWN, MICHAEL A | 3764 | 128-830000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Banner & Witcoff, Ltd.

2. _____

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

PATH

Seattle, Washington

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 19-0733 (enclose an extra copy of this form).

5. Change In Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Anthony W. Kandare

Date

January 6, 2006Typed or printed name Anthony W. Kandare

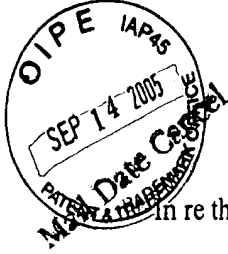
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48,830

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Application No. 09/921,016
Amendment dated September 14, 2005
Reply to Office Action of June 14, 2005



Mail Stop AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Glenn D. AUSTIN et al.

Serial No.: 09/921,016

Filed: August 3, 2001

For: FEMALE CONDOM EMPLOYING
TENSEGRITY PRINCIPLE

Atty. Docket No.: 000717.00008

Group Art Unit: 3764

Examiner: Michael A. Brown

AFTER-FINAL AMENDMENT

U.S. Patent and Trademark Office, Mail Stop AF
220 20th Street, South
Customer Window, Mail Stop: Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In response to the Office Action mailed June 14, 2005, please amend the instant application as follows.

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

Claim 10 (Original): The female condom of claim 9, wherein an untensioned spacing between the first and second rings is in the range of 3.75 – 5.0.

Claim 11 (Original): The female condom of claim 10, wherein said untensioned spacing is approximately 4.25.

Claim 12 (Currently Amended): The female condom of claim ~~1~~ 19, wherein the proximal portion of the tubular pouch is pre-formed in the general shape of an hour-glass.

Claim 13 (Currently Amended): The female condom of claim ~~1~~ 19, wherein the internal biasing member further comprises a plurality of stay members extending longitudinally along said distal pouch portion and having ends positioned adjacent said intermediate section.

Claim 14 (Currently Amended): The female condom of claim ~~1~~ 19, wherein the proximal pouch portion includes a resilient framework extending along said proximal pouch portion between said external and internal biasing members.

Claim 15 (Original): The female condom of claim 14, wherein the framework includes a plurality of elements extending longitudinally along the proximal pouch portion.

Claim 16 (Original): The female condom of claim 14, wherein the framework includes an element extending helically along the proximal pouch portion.

Claim 17: Cancelled

Claim 18 (Currently Amended): ~~The female condom of claim 17,~~ A female condom, comprising:

a tubular pouch of resilient membranous material having an open end and a closed end;

an external biasing member connected to said pouch and providing a resilient bias to expand said open end for retaining, in use, said open end external of a vaginal canal; and

an internal biasing member connected to said tubular pouch and providing a resilient bias serving, in use, to expand an intermediate section of said pouch outwardly against a distal portion of a woman's introitus;

said tubular pouch including a distal portion extending between the intermediate section and the closed end, and a proximal portion extending between the open end and the internal biasing member, said internal biasing member being configured and positioned relative to said outer biasing member such that the inner biasing member is, when the condom is installed within a woman's vagina, pushed distally by the introitus to create a force pulling against the outer biasing member, to thereby tent the proximal pouch portion against the introitus in the general shape of an hour-glass;

wherein the internal biasing member forms an outwardly facing recess extending circumferentially at least partially around said intermediate section of said pouch, said internal biasing member comprises a pair of rings connected to each other, said recess being formed between said rings.

Claim 19 (Currently Amended): ~~The female condom of claim 18,~~ A female condom, comprising:

a tubular pouch of resilient membranous material having an open end and a closed end;

an external biasing member connected to said pouch and providing a resilient bias to expand said open end for retaining, in use, said open end external of a vaginal canal; and

an internal biasing member connected to said tubular pouch and providing a resilient bias serving, in use, to expand an intermediate section of said pouch outwardly against a distal portion of a woman's introitus;

said tubular pouch including a distal portion extending between the intermediate section and the closed end, and a proximal portion extending between the open end and the internal biasing member, said internal biasing member being configured and positioned relative to said outer biasing member such that the inner biasing member is, when the condom is installed within

Claim 22 (Currently Amended): The female condom of claim ~~4~~ 21, wherein the internal biasing member further comprises at least one pad of resilient material extending circumferentially at least partially around said intermediate section of said pouch.

Claim 23 (Original): The female condom of claim 22, wherein said resilient material comprises a foamed material.

Claim 24 (Original): The female condom of claim 23, wherein said foamed material is a hydrophilic foamed material.

Claim 25 (Original): The female condom of claim 23, wherein said foamed material comprises foamed polyurethane.

Claim 26 (Currently Amended): The female condom of claim 4, wherein said ~~first~~ ring has a generally oval shape.

Claim 27 (Original): The female condom of claim 26, wherein an aspect ratio of said generally oval shape is approximately 3:1.

Claim 28 (Original): The female condom of claim 26, wherein said generally oval shape has an indentation at one end thereof, for avoiding contact with a urethral opening of a wearer.

Claim 29 (Currently Amended): ~~The female condom of claim 1,~~ A female condom, comprising:

a tubular pouch of resilient membranous material having an open end and a closed end;
an external biasing member connected to said pouch and providing a resilient bias to expand said open end for retaining, in use, said open end external of a vaginal canal; and